

REMARKS

Withdrawal of the Final Rejection of December 11, 2003 is respectfully requested in view of the comments below. Claims 1-16 are pending.

Applicant thanks the Examiner for the telephonic interview with Applicant's representative, Carlo Cotrone, on February 12, 2004. As a result of the Interview, it was agreed that claims 1-16 are allowable over Rypkema.

Entry of this Amendment is proper as it merely resolves issues noted by the Examiner and raises no new issues that would require further search or consideration. This Amendment places this application in condition for allowance or, at least, better form for appeal. Entry is requested along with withdrawal of the Final Rejection.

I. Specification

To address the Examiner's objection to the Specification, Table 2 has been corrected to include the associated data in tabular format. The associated data is not new matter, and can be found on page 12 of the non-English Specification that was submitted upon filing of the present application.

II. Claim Objections

Claims 1-16 are not amended by this paper. However, the claims are provided herein with updated status markings, as the Examiner had objected to a status marking for claim 1 in Applicant's Amendment of August 22, 2003.

III. Claim Rejections – 35 U.S.C. § 103(a)

In the Final Action, the Examiner alleged that claims 1-16 are unpatentable under 35 U.S.C. § 103(a) over Rypkema (U.S. Patent No. 4,395,734). It was agreed during the Interview that this rejection would be withdrawn.

Specifically, Rypkema does not disclose at least the following limitations of claim 1:

code sequence inverting means which is capable of inverting the code sequence extracted by said code sequence extracting means into an inverted code sequence;

phase control means which is capable of advancing the phase of the extracted code sequence or that of the inverted code sequence; and

breaking-wave transmitting means for transmitting the inverted code sequence having the advanced phase as a communicating breaking wave so as to obtain a communication breaking space.

On the contrary, Rypkema discloses a television signal processing apparatus in which a muting oscillator 40 is used to couple an unmodulated continuous wave (CW) signal to a circuit node 44 in a television receiver. Both the FM sound carrier of the received cable TV signal and the unmodulated CW signal are coupled to the FM demodulator of the receiver. Because the unmodulated CW signal is sufficiently stronger than the FM sound carrier, the FM demodulator is controlled by the CW signal only, and muting thus occurs. (See e.g., Figure 1; col. 3, lines 37-51.)

Moreover, Rypkema does not disclose “compensating the code sequence in an incoming wave by transmitting a communication breaking wave so as to obtain a communication breaking space,” as recited in claim 12. Rypkema merely discloses mixing a received cable TV signal with a strong CW signal in order to mute the FM sound carrier.

The Examiner agreed to withdraw the Final Rejection upon receipt of this written response. Accordingly, Applicant respectfully requests that the Examiner now withdraw the Final Rejection.



CONCLUSION

All outstanding matters having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,
PILLSBURY WINTHROP, LLP

By: Caroline D. Dennison
Caroline D. Dennison
Reg. No. 34,494
Telephone: (703) 905-2047

1600 Tysons Boulevard
McLean, Virginia 22102
(703) 905-2000
Fax: (703) 905-2500

B